

**IN THE UNITED STATES BANKRUPTCY COURT FOR
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

MIDNIGHT MADNESS DISTILLING

Debtor.

Case No.: 21-11750-MDC

Chapter 7 Case

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BONNIE B. FINKEL, in her capacity as Chapter
7 Trustee for Midnight Madness Distilling,
Plaintiff,

v.

Adv. Pro. No.: 23-00047-MDC

CASEY PARZYCH; SHAWN SHEEHAN;
ANGUS RITTENBURG, KELLY FESTA,
ASHLEIGH BALDWIN; MICHAEL BOYER;
R.F. CULBERTSON; GARY PARZYCH; RYAN
USZESNKI; POLEBRIDGE LLC; GOOD
DESIGN, INC.; AGTECH PA LLC; AGTECH VI,
LLC; XO ENERGY WORLDWIDE LLLP; XO
EW, LLC; CAN MAN LLC; BEST BEV, LLC;
ETOH WORLDWIDE, LLC; CANVAS 340, LLC;
FINLAND LEASING CO., INC.; and EUGENE T.
PARZYCH, INC.

JURY TRIAL DEMANDED

Defendants.

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**[PROPOSED] ORDER GRANTING MOVING DEFENDANTS' MOTION TO DISMISS
CLAIMS ONE THROUGH FIVE, EIGHT, AND TEN THROUGH TWELVE**

Upon the motion (the "Motion")¹ filed on September 30, 2024 of Moving Defendants²
pursuant to Rule 12 of the Federal Rules of Civil Procedure, made applicable to this adversary

¹ Any capitalized term not defined herein shall have the meaning ascribed to it in the Motion.

² The Moving Defendants are Casey Parzych; Angus Rittenburg; Kelly A. Festa; Ashleigh Baldwin; Michael Boyer; R.F. Culbertson; Polebridge, LLC; Good Design, Inc.; AgTech PA LLC; AgTech VI, LLC; XO Energy Worldwide, LLLP; XO EW, LLC; Best Bev, LLC; EtOH Worldwide, LLC; Canvas 340, LLC; and Shawn Sheehan. Pursuant to Local Rules 7005-1 and 9014-3(b), the Moving Defendants do not consent to the entry of a final order or judgment by the court if it is determined that the court, absent consent of the parties, cannot enter a final order or judgment consistent with Article III of the United States Constitution.

proceeding by Rule 7012 of the Federal Rules of Bankruptcy Procedure, to dismiss the Amended Adversary Complaint filed against them by plaintiff, Bonnie B. Finkel, Chapter 7 Trustee for the debtor, Midnight Madness Distilling LLC f/k/a Theobald and Oppenheimer, LLC d/b/a Faber Distilling; and the Court having reviewed the Motion and all related filings; and it appearing that notice of the Motion was good and sufficient under the circumstances and that no other or further notice need be given; and after due deliberation thereon; and good cause appearing therefore, it is hereby

ORDERED, that the Motion is granted as set forth herein; and it is further
ORDERED, that Claims One through Five, Eight, and Ten through Twelve of the above captioned adversary proceeding are dismissed with prejudice.

HON. PATRICIA MAYER
UNITED STATES BANKRUPTCY JUDGE